

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

Christopher A. Kim	:	Case No.19-24642-CMB
	:	Chapter 13
Debtor(s)	:	Related to Document 58

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 2/29/20 is CONFIRMED as modified at hearing on March 25, 2020. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. Only those provisions which are checked below apply to this case:

☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$5,648 as of 04/20. Debtor(s)' counsel shall file a motion to amend the income attachment order (to the extent the plan is funded by wage attachment) within seven (7) days of the date of this Order.

☐ B. The length of the Plan is increased to a total of _____ months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.

☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. A final plan conciliation conference will be held on **June 11, 2020 at 2:30 p.m., in Room 3251 US Steel Tower, Pittsburgh, PA 15219. The conciliation previously scheduled for 4/9/20 (at Doc 47) is cancelled.** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.

☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.

☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

☐ F. _____ shall be paid monthly payments of \$_____ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.

■ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:

- (i) Capital One Auto (Cl#7);
- (ii) Allegheny County (Cl#16);
- (iii) North Allegheny SD (Cl#9);
- (iv) Pa Rev (Cl#6); and
- (v) PNC Bank (Cl#17).

■ H. Additional Terms:

- (i) Huntington National Bank (Cl#1-2) will govern as to arrears, with payment per plan as long term continuing debt;
- (ii) Toyota Motor Credit will be paid per stipulated order entered 2/7/20 at Doc 44; and
- (iii) The estimated pool of funds available to be paid to general unsecured creditors and estimated percentage dividend are revised to \$26111.41 (100 %).

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to Fed.R.Bankr.P. 2002(b), this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to W.PA.LBR 3021-1(c)(2), the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to 11 U.S.C. §§506, 507 and 522 shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) IT IS FURTHER ORDERED THAT:

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to 11 U.S.C. §1322(b)(2), nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

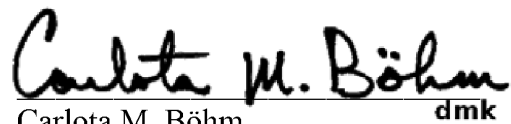
D. Debtor's counsel must file a fee application in accordance with W.PA.LBR 2016-1 before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a Certificate of Default and Request for Dismissal of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an Affidavit of Default by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

Date: 3/25/2020

FILED
3/25/20 1:36 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

Handwritten signature of Carlota M. Böhm in black ink.

Carlota M. Böhm dmk
Chief United States Bankruptcy Court Judge

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 CHRISTOPHER A. KIM
 Debtor

Case No. 19-24642-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dkam
 Form ID: pdf900

Page 1 of 2
 Total Noticed: 57

Date Rcvd: Mar 25, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 27, 2020.

db +CHRISTOPHER A. KIM, 2000 CREEKVIEW CIRCLE, APT 2314, CRANBERRY TWP, PA 16066-1128
 aty +David A. Levin, 555 11th Avenue, New Brighton, PA 15066-1442
 cr +County of Allegheny, GRB Law, 437 Grant Street 14th Floor, Frick Building,
 Pittsburgh, PA 15219, UNITED STATES OF AMERICA 15219-6101
 cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 cr +The Huntington National Bank, c/o Christopher J. Niekamp, Esquire,
 23 S. Main Street, Third Floor, Akron, OH 44308-1818
 15174373 +ALLEGHENY COUNTY, C/O JORDAN TAX SERVICE, PO BOX 200, Bethel Park, PA 15102-0200
 15174372 +ALLEGHENY COUNTY, C/O JOHN WEINSTEIN, 436 GRANT STREET, ROOM 108, COURTHOUSE,
 Pittsburgh, PA 15219-2497
 15174374 +ALLEGHENY COUNTY COURT OF COMMON PLEAS, FAMILY DIVISION, 440 ROSS STREET,
 Pittsburgh, PA 15219-2413
 15174375 +AMERICAN EXPRESS, PO BOX 981537, El Paso, TX 79998-1537
 15187783 American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
 Malvern PA 19355-0701
 15174376 +BEST BUY/CBNA, PO BOX 6497, Sioux Falls, SD 57117-6497
 15174377 +BOROUGH OF WEST VIEW, c/o RITA SCHWARTZMEIER, 457 PERRY HIGHWAY, Pittsburgh, PA 15229-1818
 15174378 +CALLIE CHRISTINE KIM, 8313 PERRY HIGHWAY, Pittsburgh, PA 15237-5217
 15174379 +CALLIE CHRISTINE KIM, 132 OAKWOOD AVENUE, Pittsburgh, PA 15229-2030
 15174381 +CENTERS FOR REHAB SERVICES, PO BOX 536213, Pittsburgh, PA 15253-5904
 15177826 +COMCAST, PO BOX 1931, Burlingame, CA 94011-1931
 15189770 Centers for Rehab Services, PO Box 1123, Minneapolis, MN 55440-1123
 15195331 +County of Allegheny, GRB Law, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh PA 15219-6101
 15174385 +EXPRESS SCRIPTS, PO BOX 747000, Cincinnati, OH 45274-7000
 15174386 +GENESIS MEDICAL ASSOCIATES INC, 8150 PERRY HIGHWAY STE 300, Pittsburgh, PA 15237-5232
 15173468 +JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A.,
 c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013
 15174387 +MARINER FINANCE, 8211 TOWN CENTER DRIVE, Nottingham, MD 21236-5904
 15174388 +MCCANDLESS TWP SANITARY AUTHORITY, 418 ARCADIA DRIVE, Pittsburgh, PA 15237-5597
 15174389 +MEDCARE EQUIPMENT COMPANY, LLC, PO BOX 1259 DEPT #140418, Oaks, PA 19456-1259
 15174390 NORTH ALLEGHENY SCHOOL DISTRICT, 9955 GRUBBS ROAD, Pittsburgh, PA 15237
 15174391 +NORTH HILLS SCHOOL DISTRICT, c/o RITA SCHWARTZMEIER, TAX COLLECTOR, 457 PERRY HIGHWAY,
 Pittsburgh, PA 15229-1818
 15165199 NORTH HILLS SD TAX, C/O MICHAEL WITHERAL, ESQ, JORDON TAX SERVICE, 102 RAHWAY ROAD,
 Pittsburgh, PA 15217
 15180909 +North Allegheny School District, c/o Maiello Brungo & Maiello, LLP,
 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
 15174393 +PEDIATRIC ALLIANCE, 1100 WASHINGTON AVENUE, STE 215, Carnegie, PA 15106-3616
 15174394 +PEOPLES NATURAL GAS, PO BOX 535323, Pittsburgh, PA 15253-5323
 15174395 +PNC BANK, 3232 NEMARK DRIVE, Miamisburg, OH 45342-5421
 15196492 +PNC Bank, National Association, P.O. Box 94982, Cleveland, OH 44101-4982
 15174396 +RECEIVABLES OUTSOURCING, INC., PO BOX 549, Lutherville Timonium, MD 21094-0549
 15174398 +TARGET CARD SERVICES, PO BOX 30171, Tampa, FL 33630-3171
 15174400 +TOWN OF MCCANDLESS, 9955 GRUBBS ROAD, Wexford, PA 15090-9645
 15174401 +TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: TOYOTA FINANCIAL SERVICES, PO BOX 5855,
 Carol Stream, IL 60197-5855)
 15174402 +TRANSWORLD SYSTEMS INC, 300 CEDAR RIDGE DR, Pittsburgh, PA 15205-1159
 15170766 +The Huntington National Bank, c/o Christopher J. Niekamp, 23 S. Main Street, Third Floor,
 Akron, OH 44308-1818
 15177249 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
 15189659 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: acg.acg.ebn@americaninfosource.com Mar 26 2020 04:45:37
 Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS,
 Oklahoma City, OK 73118-7901
 cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Mar 26 2020 04:45:41
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15174380 +E-mail/PDF: AIS.COAF.EBN@americaninfosource.com Mar 26 2020 04:45:59
 CAPITAL ONE AUTO FINANCE, 7933 PRESTON ROAD, Plano, TX 75024-2302
 15174383 +E-mail/Text: bankruptcy_notifications@ccsusa.com Mar 26 2020 04:55:58
 CREDIT COLLECTION SERVICES, 725 CANTON STREET, Norwood, MA 02062-2679
 15179554 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Mar 26 2020 04:47:44
 Capital One Auto Finance, a division of Capital On, P.O. Box 4360, Houston, TX 77210-4360
 15174384 +E-mail/Text: kburkley@bernsteinlaw.com Mar 26 2020 04:55:32 DUQUESNE LIGHT COMPANY,
 C/O PETER J. ASHCROFT, ESQ., 707 GRANT STREET, STE 2200 GULF TOWER,
 Pittsburgh, PA 15219-1908
 15174382 E-mail/PDF: ais.chase.ebn@americaninfosource.com Mar 26 2020 04:47:22 CHASE CARD,
 PO BOX 15369, Wilmington, DE 19850
 15180173 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Mar 26 2020 04:47:49
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541

District/off: 0315-2

User: dkam
Form ID: pdf900

Page 2 of 2
Total Noticed: 57

Date Rcvd: Mar 25, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15178088 +E-mail/Text: bankruptcy@firstenergycorp.com Mar 26 2020 04:54:12 Penn Power,
5001 NASA Blvd, Fairmont WV 26554-8248
15178133 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Mar 26 2020 04:52:59
Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946,
Harrisburg, PA 17128-0946
15174397 +E-mail/PDF: gecsed@recoverycorp.com Mar 26 2020 04:45:03 SYNCB/CARE CREDIT,
PO BOX 965036, Orlando, FL 32896-5036
15165324 +E-mail/PDF: gecsed@recoverycorp.com Mar 26 2020 04:45:07 Synchrony Bank,
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15194129 +E-mail/PDF: gecsed@recoverycorp.com Mar 26 2020 04:47:06 Synchrony Bank,
c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
15174399 E-mail/Text: bankruptcy@huntington.com Mar 26 2020 04:53:56 THE HUNTINGTON NATIONAL BANK,
PO BOX 182232 NCIW32, Columbus, OH 43218-2232
15193418 +E-mail/Text: bankruptcy@huntington.com Mar 26 2020 04:53:57 The Huntington National Bank,
PO Box 89424, Cleveland, OH 44101-6424
15174403 +E-mail/Text: wfmelectronicbankruptcy@verizonwireless.com Mar 26 2020 04:51:17
VERIZON, PO BOX 15124, Albany, NY 12212-5124
15174404 E-mail/Text: bankruptcy@firstenergycorp.com Mar 26 2020 04:54:12 WEST PENN POWER,
PO BOX 3687, Akron, OH 44309-3687

TOTAL: 17

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PNC BANK, NATIONAL ASSOCIATION
cr Toyota Motor Credit Corporation
cr* +North Allegheny School District, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road,
Suite 3, Pittsburgh, PA 15235-4441
15187784* American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
Malvern PA 19355-0701
15174392* NORTH HILLS SD TAX, C/O MICHAEL WITHERAL, ESQ, JORDON TAX SERVICE, 102 RAHWAY ROAD,
Pittsburgh, PA 15217

TOTALS: 2, * 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 27, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 25, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Toyota Motor Credit Corporation bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor County of Allegheny jhunt@grblaw.com,
cnoroski@grblaw.com
Jennifer L. Cerce on behalf of Creditor North Allegheny School District jlc@mbm-law.net
Karina Velter on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION amps@manleydeas.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
Russell A. Burdelski on behalf of Debtor CHRISTOPHER A. KIM atyrusb@choiceonemail.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com
Wade T. Doerr on behalf of Creditor The Huntington National Bank wade@nwm-law.com

TOTAL: 9